

REMARKS

Status of Claims

Claims 3, 11, and 18 have been canceled. Claims 1, 4-6, 8, 9, 12-14, 16, and 19-21 have been amended. Claims 1, 2, 4-10, 12-17, and 19-21 are pending. Reconsideration is respectfully requested in view of above amendments and the following remarks. Entry of this Amendment and a timely allowance are respectfully requested.

Objection to the Claims

Claims 14 and 16 were objected to for containing various informalities. These claims have been amended to advance the prosecution of the application. Accordingly, Applicant respectfully requests a withdrawal of the objections to these claims.

Rejections under 35 U.S.C. § 112

Claims 13-19 were rejected under 35 U.S.C. § 112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 13 has been amended to further the prosecution of the application (See *In re Beauregard*). Accordingly, Applicant respectfully requests a withdrawal of the rejections of these claims.

Rejections under 35 U.S.C. § 102

Claims 1-7 were rejected under 35 U.S.C. § 102(e) as being anticipated by Story (US Patent No. 6,934,290). These rejections are respectfully traversed.

Story is directed towards a system and method for determining connection information for terminations and ports in a network (See Story's Abstract). The connection information for a termination may include information about some other

termination to which a first termination is connected over the network and about a port that includes this other termination, and the connection information for a port may include information about some other port to which a first port is connected over the network and about a node that includes this other port (Story col. 1 lines 30-39). Story's system includes a discovery process that determines the connection information for the terminations and ports in the network (Story col. 2 lines 58-60). The discovery process identifies a type of network used within a system, selects a comparison method based on the type of network, identifies termination information (information about a termination that may be used to match terminations and ports) required by the selected comparison method for each termination on a port in the network, and determines the appropriate connection information based on the selected comparison method and the identified termination information (Story col. 4 lines 13-67).

In regards to independent claim 1, Story fails to disclose a discovery plan that has computer-usable device-specific instructions. This newly added feature can at least be found within paragraph 0018 of Applicant's specification. The Office Action cites to col. 3 lines 52-55 of Story that states Story's discovery process includes stored instructions in the form of software that are executed by a processor. However, Story provides no disclosure of such instructions being device-specific wherein the disclosed instructions are specific for a particular type of network element. Therefore, Story fails to disclose this feature of the claims.

Moreover, Story fails to disclose a discovery plan having computer-usable device-specific instructions such that the computer-usable device-specific instructions are followed in order to perform discovery on at least one network element and specify

queries to issue to the at least one network element, information to extract from results of the queries, and how to create and populate discovered objects with the results. These newly added features can at least be found within paragraph 0045 of Applicant's specification. There is no disclosure within Story that teaches the stored instructions within Story's discovery process having the capabilities of specifying queries to issue to the at least one network element, information to extract from results of the queries, and how to create and populate discovered objects with the results. Moreover, Story's comparison method only specifies required termination information and not the aforementioned capabilities. Additionally, the comparison method utilized by Story's discovery process does not include any type of instructions for extracting information directly from a network element; the comparison method is only used by the discovery process in conjunction with information extracted from a database (Story col. 4 lines 52-63). Furthermore, since Story does not disclose the claimed computer-usable device-specific instructions, Story cannot possibly teach discovery including extracting information from the at least one network element based on the computer-useable device-specific instructions. Accordingly, Applicant respectfully requests a withdrawal of the rejection of claim 1 and its dependent claims.

Claims 13-19, and 21 were rejected under 35 U.S.C. § 102(b) as being anticipated by Linzy (US Patent No. 6,718,384). These rejections are respectfully traversed.

Linzy is directed towards a system and method for monitoring and maintaining a communication network that includes the capability to determine connection and configuration parameters of network elements (See Linzy's Abstract). Linzy discloses a provisioning engine that queries network elements to validate configuration information

such as the current firmware on the elements, the card configuration, the connection configurations, and/or the connection management between elements (Linzy col. 4 line 64 through col. 5 line 1).

Regarding independent claims 13 and 21, Linzy fails to disclose a discovery plan/configuration file having computer-useable device-specific instructions such that the computer-usable device-specific instructions are followed in order to perform discovery on at least one network element/device and specify queries to issue to the at least one network element/device, information to extract from results of the queries, and how to create and populate discovered objects with the results, wherein discovery includes extracting information from the at least one network element/device based on the computer-useable device-specific instructions. Linzy only discloses querying a device for its communication protocol, connection information, and configuration information. There simply is no disclosure by Linzy of discovery plans/configuration files that have device-specific instructions that detail how to perform discovery on a particular device and specify queries to issue to the at least one network element/device, information to extract from results of the queries, and how to create and populate discovered objects with the results. Furthermore, since Linzy does not disclose the claimed device-specific instructions, Linzy cannot possibly disclose discovery including extracting information from the at least one network element/device based on the computer-useable device-specific instructions. Accordingly, Applicant respectfully requests a withdrawal of the rejections of claims 13 and 21 as well as each of their dependent claims.

Rejections under 35 U.S.C. § 103(a)

Claims 8-12, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Story and further in view of Linzy. These rejections are respectfully traversed.

Regarding independent claims 8 and 20, Story and Linzy, whether in combination or taken alone, are insufficient for disclosing a discovery plan having computer-useable device-specific instructions such that the computer-usable device-specific instructions are followed in order to perform discovery on at least one network element and specify queries to issue to the at least one network element, information to extract from results of the queries, and how to create and populate discovered objects with the results, wherein discovery includes extracting information from the at least one network element based on the computer-useable device-specific instructions. Story and Linzy are insufficient for disclosing the aforementioned claimed features for the same reasons outlined above with regards to independent claims 1, 13, and 21. Accordingly, Applicant respectfully requests a withdrawal of the rejections of claims 8 and 20 as well as each of their dependent claims.

CONCLUSION

Applicant has duly considered the rejections of claims 1, 2, 4-10, 12-17, and 19-21 in the Office Action, and responded by the foregoing remarks. Applicant has thereby distinguished the pending claims from the art of record. Applicant therefore respectfully requests timely entry of this Amendment and passing of this application to issue. Should however any issues remain before issuing this application, the Examiner is urged to contact the undersigned to resolve the same.

Respectfully submitted,

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